

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

SIEW V. THONG, YUE F. XIA, QIAO F. CHEN,

Plaintiffs,

v.

LOVELY NAILS NY, INC. d/b/a “Lovely Nails”, NEW
ALWAYS NAILS CORP. d/b/a/ “Always is Nails”,
MAJOONGMOOL CORP. d/b/a “Always is Nails”, J H
DIVA NAIL & SPA INC. d/b/a “Diva Nails”, VIVA NAILS
& SPA, INC. d/b/a “Diva Nails”, QIXING LI a/k/a “John
Lee”, GUINING CUI a/k/a “Susan Lee,” and YING AI CHE
a/k/a “Cha Young He”,

Defendants.

08-CV-3469 (TCP)(WDW)

**STIPULATION OF
VOLUNTARY DISMISSAL
AS TO CERTAIN
DEFENDANTS ONLY**

IT IS HEREBY STIPULATED AND AGREED, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, by and among the undersigned counsel of record and party, representing all parties who have appeared in the action, being fully authorized to enter this Stipulation of Voluntary Dismissal as To Certain Defendants Only, that:

1. All claims asserted by plaintiffs Siew V. Thong, Yue F. Xia, and Qiao F. Chen (together, “Plaintiffs”) against defendant Ying Ai Che in the Second Amended Complaint shall be dismissed with prejudice and without costs to either party as against the other.

2. Counts VIII, X, XII, and XIV asserted by Plaintiffs against defendant Majoongmool Corp. shall be dismissed with prejudice and without costs to either party as against the other.

3. Counts VIII, X, XI, and XIII asserted by Plaintiffs against defendant Viva Nails & Spa, Inc. in the Second Amended Complaint shall be dismissed with prejudice and without costs to either party as against the other.

4. Counts VIII, IX, X, XI, XII, and XIII asserted by Plaintiffs against defendant Guining Cui in the Second Amended Complaint shall be dismissed with prejudice and without costs to either party as against the other.

5. Count IX asserted by plaintiff Yue F. Xia against defendants Majoongmool Corp., Viva Nails & Spa, Inc., and Guining Cui in the Second Amended Complaint shall be dismissed with prejudice and without costs to either party as against the other.

6. All counterclaims asserted by defendant and counterclaim-plaintiff Ying Ai Che against Plaintiffs in the Answer to Claims of Defendant Ying Ai Che shall be dismissed with prejudice and without costs to either party as against the other.

7. All crossclaims asserted by defendant and crossclaim-plaintiff Ying Ai Che against defendants Majoongmool Corp., Viva Nails & Spa, Inc., and Guining Cui a/k/a “Susan Lee” in the Answer to Claims of Defendant Ying Ai Che shall be dismissed with prejudice and without costs to either party as against the other.

8. This stipulation shall not affect any claims against any defendant not a party to this stipulation.

9. This stipulation may be executed in counterparts, each of which shall be deemed an original but all of which constitute one and the same agreement.

10. Facsimile or electronically transmitted signatures shall have the same force and effect as originals.

Dated: New York, New York
10/14, 2013

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Dated: Glen Head, New York
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